

#7

Statement of Facts
Details of Efforts to Reach Non-Signing Inventor

I, Nissa Strottman, am a registered patent attorney and am authorized by Radiant Networks Plc, the assignee of patent application serial number 10/056,178, to act on its behalf in matters relating to the petition under 37 C.F.R. § 1.47(a) to file patent application serial number 10/056,178. I am filing this Statement under 37 C.F.R. § 1.47(a) in connection with Serge Plotkin, a non-signing inventor of the above-referenced application.

In January 2003, I conducted an Internet search to find Serge Plotkin after receiving the decision dismissing a previously-filed petition under 37 C.F.R. § 1.47(a) for insufficient evidence of efforts to locate the non-signing inventor. I discovered that he was working at Stanford University. This information was sent by another attorney in my firm, Thomas Schneck, to Adam Flint, an attorney for Radiant Networks in the United Kingdom. (See Exhibit A) Mr. Flint subsequently contacted Mr. Plotkin at Stanford by e-mail. (See Exhibit B) In response to this e-mail querying whether he would sign the declaration for this application, Mr. Plotkin gave Mr. Flint his current address and stated "Most probably I will have no trouble signing the forms, but first I have to look at them." (Exhibit C) His current address was different from the last-known address supplied in the previously-filed petition, indicating that he had moved; this may be why previous efforts to contact him were unsuccessful.

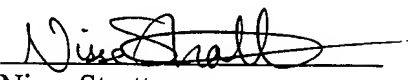
On January 29, 2003, I sent Mr. Plotkin a copy of the patent application, a declaration, and an assignment via certified mail. (See Exhibit D) This material was sent to his home address. A return receipt indicates this material was received at the Plotkin residence on February 3, 2003. (See Exhibit E) In the letter, I specifically asked Mr. Plotkin to reply to us by February 15, 2003. (See Exhibit D)

On February 11 and February 14, 2003, I left phone messages at Mr. Plotkin's office asking that he contact me about this matter since we had received no response from him. Mr. Flint also tried to contact Mr. Plotkin via e-mail after February 15, 2003, but received no response. (See Exhibit F)

Given that Mr. Plotkin initially stated that he probably would sign the declaration and then did not return the signed declaration as requested or respond to both my and Mr. Flint's repeated efforts to communicate with him by telephone and e-mail after he received a copy of the application and the declaration, I have concluded that Mr. Plotkin refuses to sign the declaration of the above-referenced patent application.

Date: 6 MARCH 2003

Signature: _____


Nissa Strottman
Registration No. 52,257

RECEIVED
MAR 13 2003
OFFICE OF PETITIONS

Nissa Strottman

From: Tom Schneck
Sent: Wednesday, January 15, 2003 10:59 AM
To: 'aflint@beckgreener.com'
Cc: Nissa Strottman; Merle Garcia
Subject: CALY-012; AF/JG/P9236US/2

Dear Adam,

Receipt of your fax letter of 15 January 2003 is acknowledged. We will cut off efforts to locate Messrs. Plotnik and Nasser. We have learned that Mr. Plotnik is a professor at Stanford University and were planning on contacting him there.

Regards,

Tom Schneck
Schneck & Schneck
80 South Market St., 3rd Fl.
P.O. Box 2-E
San Jose, CA. 95109-0005
(408) 297-9733 (phone)
(408) 297-9748 (fax)

EXHIBIT A